

PATENT
450100-02892**REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-7 and 16-22 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1-7 and 16-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Okuyama (U.S. Patent 6,289,169). However, the present claims recite "outputting a third instruction of sending relevant information of said program to said other information processing apparatus via said network; wherein said third instruction is output at a predetermined time after said content information starts recording in said first recording medium, such that said relevant information is extracted reliably." (Claim 16; Claims 1, 6-8, and 21-22 contain similar limitations) Hence, the D-VHS waits approximately five minutes after recording begins before sending a command to the IRD 2 to send relevant information about the program being recorded. (Specification page 44, lines 1-7) Whereas, Okuyama discloses automatically transferring all EIT information about the programs to be recorded. (Column 10, line 43 to Column 11, line 19) Okuyama does not disclose waiting a predetermined time after recording begins before sending

PATENT
450100-02892

an instruction requesting the EIT information. Accordingly, for at least this reason, Okuyama fails to obviate the present invention and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 

Darren M. Simon
Reg. No. 47,946
(212) 588-0800